

DRAFT MINUTES
STEERING COMMITTEE MEETING
JULY 27, 2004

Attendees: F. Sanders; K. Lentz; D. Kovacs; T. Botkins; E. Imhoff; Jerry Peaks; D. Paylor; J. Dunscomb;

Observers and Staff: J. Carlock; R. Jackson; B. Mitchell; J. Hassell, S. Kudlas, T. Wagner, B. Hulburt, M. Rubin.

The meeting began with a discussion of general reactions to last week's full TAC meeting. In general, the Steering Committee felt that it was a good meeting. There was a feeling that the specificity of the issues helped.

[Tom Botkins provided a change to the minutes regarding a statement he made that was not included in the draft minutes from the last Steering Committee meeting.]

Reports on Discussions and Meetings Since Last Steering Committee Meeting

In reporting on the discussions that have taken place within the environmental interest group since the last Steering Committee meeting:

- They expect to make some comments on draft language in 780-120 and 140 based on AWWA Integrated Water Supply Planning recommendations
- They expect to make some comments on draft language in 780-80 through 110
- They have concerns about the Phase II triggers, particularly the use of a capacity-based trigger like the VDH 80% threshold.

In reporting on discussions of the water suppliers group:

- They are working on alternative language and expect to finalize it next week
- Some language will likely focus on Phase I alternatives

In reporting on discussions of the business/commercial group:

- They made some progress revising Robert Royall's proposed language
- They expect to suggest changes addressing another issue

In reporting on discussions of the planning group:

- They are working on some issues with Phase II and the Phase II triggers. They were especially concerned about the decision on who must do Phase II studies, and who makes that decision. The example of ground water dependent localities was given. Rhetorical question: If a deficit appeared and only an additional well was needed to solve the problem was a phase II plan necessary?

Phase II Flow Chart Discussion

The flow chart that DEQ revised based on discussion at the last Steering Committee (and subsequent input) was presented. The discussion generated the following critical issues:

- Concern about when Phase II is required
- What are the Phase II products? How do they benefit the localities or the state?
- Modify Box 1 to reflect state role in fleshing out alternatives [will have to address inconsistency in the draft regulation regarding alternatives and Phase I, pg. 13]
- Illustrate in Box 5 that the conflicts and substantive impacts are sequentially concurrent
- List the benefits of "incorporation" inclusion in the State Plan
- Desired goal of Phase II process needs clarification

The Committee then worked on defining the desired goals for Phase II. Their suggestions were:

- Viable projects--vetted alternatives
- Endorsement of need/demand projection
- Opportunity to formally look at multiple projects within a broader context before an application is filed
- Provides information for localities
- Potentially will identify and help resolve inter-jurisdictional conflicts
- Assist in assessing groundwater impacts in areas where a groundwater permit is not required
- Identify state-level issues
- Tool to help economic growth
- Improve lead time
- Strengthens local position with the Corps

The Committee discussed the relationship between the local plans and the State Plan.

- The Committee agreed that no water project will be without some degree of conflict.
- Language should be included up front which identifies the "limits" of being in the State Plan (i.e what it means to be included in the plan).
- Footnotes or some other tool should identify conflicts of all types that are yet to be resolved.
- Endorsement of needs assessment is separate issue from a local plan being in the State Plan.

Phase II Triggers (Section 780-60.F) Discussion

After significant discussion, the following suggested triggers were put forward for discussion with interest groups:

1. Phase I shows that an inadequacy of source will occur within 10 years¹
2. An unforeseen need/use arises that exceeds Phase I projections (or the potential for such need arises)
3. New data changes the assumptions that were used to make Phase I projections
4. State identifies cumulative impact that would make source/resource inadequate
5. Notwithstanding 1-4 above, a locality or region may choose to prepare a Phase II plan at any time after approval of a Phase I plan.
6. Notwithstanding 1-4 above, the state can exempt a locality from the requirements of completing a Phase II plan [suggestions for when such exemption might occur included a circumstance when the resource impact is *de minimus* or when the burden on the locality would be unreasonable]

NOTE: There was discussion of eliminating the 80% VDH waterworks permit planning threshold as a trigger because:

1. In most circumstances it would be inappropriate for a single facility's need for additional capacity to trigger the Phase II requirement for planning for the entire planning area;
2. In a significant number of cases, the 80% threshold results in only operational or storage modifications that do not impact the size of the withdrawal; and,
3. The VDH threshold is capacity-based rather than supply- based (i.e. the VDH threshold is more often crossed due to infrastructure deficiencies (pumps, filters, finished water storage) rather than raw water source deficiencies).

The Committee requested that the write-up from this meeting be distributed by Thursday if possible.

¹ Where appropriate, the state may require Phase II planning when it appears that the source will be inadequate within 11-15 years.